

COUNCIL MEETING MINUTES
REGULAR MEETING, AUGUST 16, 2022

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on Tuesday, August 16, 2022 in the Council Chambers of the Stroudsburg Borough Municipal Building with the following members present: Council President Matt Abell, Vice-President of Council Erica McCabe (arrived at 7:06 P.M.), Council President Pro-Tem Jim Evanisko, Council member Victoria DeVries, Council member Tobias Sabatine (attended via Zoom.us), and Council member Joanne Kochanski. Council member James Smith was not present.

Also present were: Mayor Tarah Probst, Borough Manager Larry Kopp, Executive Assistant Mary Pat Quinn, Borough Solicitor Joseph P. McDonald Jr. Esq., Borough Solicitor Christopher Brown Esq., SARP Captain Scott Raymond, Assistant Public Works Director O.C. Hearthstone, and Zoning/Codes Officer and Land Development Administrator Jennifer Walker.

The Pledge of Allegiance was recited.

Approval of Council Meeting Minutes for the regular meeting on August 2, 2022.

The minutes of the regular meeting on August 2, 2022 were approved as circulated on a motion made by Mrs. Kochanski, seconded by Ms. DeVries. The motion was carried. (5-yes; 0-no; 1-abstention- Mr. Abell)

Monthly Administrative Reports

The following monthly reports were approved on a motion made by Mrs. Kochanski, seconded by Ms. DeVries: Parking Report, Right to Know Report, and the Stroud Area Regional Police Department Report which was provided via email to Council. The motion was carried. (6-yes; 0-no; 0-abstain)

Accept Unaudited July, 2022 Treasurer's Report

A motion was made by Mrs. Kochanski, seconded by Mr. Evanisko to approve the bank account balances and budget-to-actual reports as of July 31, 2022. The motion was carried. (6-yes; 0-no; 0-abstain)

OLD BUSINESS

Discuss the closure of 7th Street for Stroudfest and the Irish-American Festival

Mr. Kopp advised that the Ad Hoc Committee meeting to discuss events in Courthouse Square will be on August 23, 2022 at 5:30 P.M. The Committee will not be able to make a recommendation to Council until September 6. He asked for Council direction regarding the closure of North 7th Street during Stroudfest and the Irish American Festival. A suggestion was made at the last Council meeting to put concrete barriers on the centerline of North 7th Street so that a lane would be open and available for the patrons of the Penn Stroud Hotel to enter the

parking lot. Mayor Probst, Ms. McCabe, Mr. Sabatine and Adam Courtney spoke in opposition of keeping a lane open. A discussion ensued about pedestrian safety and the needs of emergency personnel in the event of a fire or medical event at the hotel.

Mr. Abell suggested that the Borough rent concrete barriers to be placed on the centerline of 7th Street, limit parking on the west side of 7th Street and provide the maximum area possible for vehicles in the westerly lane of North 7th Street. A motion to approve the suggestion was made by Mrs. Kochanski, seconded by Mr. Evanisko. Ms. McCabe was opposed. Mr. Sabatine was also opposed and stated that cities have festivals, block streets and find a way to provide for emergency access. He also stated that there have been vehicular attacks on crowds of people as seen on the news; and therefore, putting people near moving vehicles is a bad idea. He suggested that the other entrance to the hotel parking lot could be accessed from Monroe Street with the assistance of flaggers. Ms. McCabe agreed with the concern for pedestrian safety. She did not want the Borough to go through the expense of purchasing concrete barriers.

Mrs. Kochanski asked for input from the Fire Chief. Ms. McCabe rescinded her previous motion; Mr. Evanisko rescinded his second. A motion was made by Ms. McCabe, seconded by Ms. DeVries to table action on the matter pending input from the Fire Chief. Mrs. Kochanski reached out to the Fire Chief and one of the Assistant Fire Chiefs. The motion was carried. (6-yes; 0-no; 0-abstain)

NEW BUSINESS

Consideration to review bids for 2022 Equipment Services for Paving and to approve the award to the lowest responsible bidder.

Mr. Kopp advised that the Borough Street Department will be doing paving “in-house”, but the Borough does not own all of the equipment required for the work. One bid was received from Elmer F. Possinger and Sons, Inc., Stroudsburg, PA. The following Schedule of Prices for Equipment Services was offered:

• Blaw Knox PF4410 Asphalt Paver with Operator	\$1,200.00
• 500-gallon Marathon Tack Trailer (tack material billed with materials)	\$ 550.00
• Double Drum 78” asphalt roller	\$ 880.00
• Double Drum 51” asphalt roller	\$ 680.00
• Triaxle Dump truck with asphalt tarp	\$ 880.00
• Triaxle Dump truck with asphalt tarp	\$ 880.00
• Triaxle Dump truck with asphalt tarp	\$ 880.00
• Mobilization/Demobilization per hour	<u>\$ 140.00</u>
	\$6,090.00

The Borough will be able to use Liquid Fuels funds for the work. A motion was made by Ms. McCabe, seconded by Ms. DeVries to award the bid to Elmer F. Possinger and Sons, Inc. for the above stated schedule of equipment. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve the issuance of a Building Permit for the replacement of 40 feet x 5 feet of sidewalk in front of the home located at 538 Lenox Street. Note: Approval required per §21-253 of the Stroudsburg Borough Code of Ordinances, “Owner Desiring Alteration to File Drawings with Council for Approval”.

A motion was made by Ms. DeVries, seconded by Ms. McCabe to approve the issuance of a Building Permit to the property owner of 538 Lenox Street for the replacement of 40” x 5” of sidewalk. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve a request from the Pocono Family YMCA for a Subdivision and Land Development Waiver of Borough Decision Deadline/ Extension.

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to approve a Subdivision and Land Development Waiver of Borough Decision Deadline/Extension for the Pocono Family YMCA pending the receipt of a written request from the applicant. Solicitor Brown will follow up with the applicant’s attorney. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of 728 Main Street LLC, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the repairing of the façade on the front of the building, changing windows and doors on the front of building, installing a second-floor balcony, removing old sign base on second floor, and adding a second-floor deck on the rear of the building at 728 Main Street.

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to approve the issuance of a Certificate of Appropriateness as recommended by the HARB to 728 Main Street, LLC. for the aforementioned work. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of Michelle Prevoznik, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the installation of a side and rear yard fence at 710 Sarah Street.

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to approve the issuance of a Certificate of Appropriateness as recommended by the HARB to Michelle Prevoznik for the aforementioned work. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of Cherise Decker, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the replacement of two front windows at 33 N 7th Street.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to approve the issuance of a Certificate of Appropriateness as recommended by the HARB to Cherise Decker for the aforementioned work. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of Joel Marle, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for reconstruction of a front porch at 712-714 Scott Street.

Solicitor McDonald advised that prior to the meeting he was given a letter dated August 16, 2022 from Michelle Prevoznik regarding the HARB application of Joel Marle for 712-714 Scott Street. Mrs. Prevoznik attended the August 1, 2022 HARB meeting at which time Mr. Marle's application was considered by the Board. She noted that the applicant appeared at the meeting with a copy of his application and one photograph. The Borough provided a photograph of the house as it appeared years ago. The letter continued to state that the applicant did not submit architectural plans or specifications for the rebuilding of the front porch, for the windows, the repair to outside of the house or the replacement of a rear yard fence. He stated to the HARB that he would "fix it like it was". Condemnation plans, which were provided by the Monroe County Redevelopment Authority "MCRA" on behalf of the Monroe County Land Bank, were on file with the Borough from a previous HARB application of the MCRA. The plans were offered to the applicant to copy; however, Mrs. Prevoznik learned from Marv Walton, an employee of the MCRA, that the plans were prepared by Wayne Vanderhoof, L.P.A. and were paid for by the Monroe County Land Bank. Mr. Walton advised her that at no time was the Borough given permission to use the plans as a design to rebuild the structure, nor should the plans be released to a third party.

The HARB approved Mr. Marle's application for the project. Another applicant at that same meeting was sent away and told to obtain architectural plans and specifications.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the issuance of a Certificate of Appropriateness as recommended by the HARB to Joel Marle for the aforementioned work. Mrs. Prevoznik expressed her opposition to the motion.

Ms. Walker confirmed that she did show Mr. Marle the demolition plans, but she did not give him a copy of the plans. Megan Williamson suggested that the applicants be treated equitably insofar as the requirement for architectural drawings are concerned.

Ms. McCabe rescinded her motion to approve the application; Mr. Sabatine rescinded his second. A motion was made by Ms. McCabe, seconded by Mr. Sabatine to return the application to the HARB for review and consideration after the applicant obtains the required supporting documentation. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of Enid Logan, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the reconstruction of the front porch at 905 Main Street.

The applicant proposes to reconstruct the front porch by reusing the existing masonry and pier caps; the roof and trim work will not change. The porch deck will be constructed with Aeratis porch flooring (extruded PVC tongue and groove plank 1" x 3"). The new railings will match the top and bottom rail system. A discussion ensued about the use of a PVC product. Mrs. Prevoznik questioned the use of this material. Ms. Walker advised that the section of the deteriorated porch is beyond the roof covering, and the wooden materials did not last long after the building was rehabilitated a few years ago by Nauman Contracting. Mr. Abell added that the

applicant will be replicating the architectural features, which is what the Borough wants. He did note that the inconsistencies would be addressed with a list of approved materials that will be made available to the public on the Borough website.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to approve the issuance of a Certificate of Appropriateness as recommended by the HARB to Enid Logan on behalf of Family Promise of Monroe County. The motion was carried. (6-yes; 0-no; 0-abstain)

Continue Discussion about the closure of 7th Street for Stroudfest and the Irish-American Festival

Fire Chief Charles Frantz and Assistant Fire Chief /Emergency Management Coordinator Mehmet Barzev were present for the discussion. Chief Frantz advised that the Department would need a minimum of 12 feet to get a fire truck down a street. Assistant Chief Barzev added that the Department needs sufficient ground space for their apparatus, equipment and water access. He noted that they are not equipped to move concrete barriers, and fire hydrants should not be blocked. Captain Raymond spoke about the need for public safety. Solicitor Brown suggested that Council follow the recommendations of the Captain and the Fire Department officers.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to close North 7th Street from Main Street to Monroe Street and to redirect patrons of the Penn Stroud Hotel to the parking lot entrance on Monroe Street for all festivals. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve moving trash and recycling receptacles from their current location at 762 Main Street.

Council acknowledged the request and left the new location up to the Street Superintendent's discretion.

Consideration to set the day/time for Trick-or-Treating.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to set Monday, October 31, 2022 from 5:00 to 8:00 P.M. for trick or treating. Thomas Street and Scott Street will also be closed by the Street Department as usual. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve a lease agreement between the Borough of Stroudsburg and P3 Towers, LLC.

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to approve the redline copy of the lease agreement between the Borough of Stroudsburg and P3 Towers, LLC. as reviewed by Solicitor Brown and pending conditional use approval. The motion was carried. (6-yes; 0-no; 0-abstain)

Committee Reports

Codes Committee – Mr. Abell reported that the Committee will be working on an amendment to the Fireworks Ordinance to prohibit fireworks entirely in the Borough and to authorize law enforcement to confiscate unused fireworks. The Committee is also working on problem properties.

Budget Committee – Mr. Kopp advised that he will start working on the 2023 Budget in the next couple of weeks.

Parking Committee – Ms. McCabe advised that the Parking Committee will meet on the fourth Tuesday of this month.

Recycling Committee -Mr. Kopp advised that the Twin Boroughs Recycling Committee will meet on Wednesday, September 14, 2022 at 5:30 P.M. in Council Chambers.

Sewer Committee – Mr. Kopp reported that the projected sewer flows are due to the Brodhead Creek Regional Authority by September 1. Russ Scott, P.E., RKR Hess, is working on that. In another matter, there is an I & I problem at LaBar Village. More information will be forthcoming about that.

Street Committee – Mayor Probst reported that the Street Committee met on August 3. There is a Zoom meeting with Alta Planning on August 17. The Committee discussed that Brown Street, Lindbergh Avenue, and Bank Alley will be the next roads to be paved. The Committee meets again on Wednesday, September 7.

Personnel Committee – A meeting will be scheduled some time next week. Mr. Kopp noted that there is a need to discuss a personnel matter in executive session.

Public Relations/Media Committee – Mayor Probst reported that the Welcome to Stroudsburg banners have been received, the underground railroad sign has been installed, and Ms. McCabe created a QR code which can be used by new residents to get acquainted with the Borough. There are two more Concerts in the Square coming up.

I-80 Expansion Task Force – Mr. Kopp advised that he will participate in a meeting at 11 A.M. on August 17 with the project engineer of PennDOT regarding the Broad Street bridge.

Stroud Region Open Space and Recreation Commission – Ms. McCabe reported that the next meeting of the Commission is on the 4th Tuesday of this month.

Mayor's Report

Mayor Probst reported the SARP Police Chief will do a monthly report at future SARP Commission meetings. She will also meet periodically with the three member municipalities to hear what the concerns are. The Mayor asked for Council to provide her with their concerns so that she could bring them to the meeting. She will discuss them with Mrs. Kochanski and Ms. Quinn, who serve on the SARP Commission also.

Council Member Reports

Ms. McCabe made the following statement during Council Member Reports. “As the first woman of color on the Council, I have a duty to pave the way for the BIPOC council members coming behind me. As a presenting black woman, I have been subjected to microaggressions and casual racism most of my life. “Compliments” on how I don’t sound black or where did I grow up because I speak so “well” are examples of microaggressions. The casual racism under the guise of “you’re so angry” while my voice is calm and neutral is not even a microaggression, it is outwardly misogynoir or racist towards black women. The angry black woman trope is exhausted. In the last few months, we have had cis white men yell, scream and stomp their feet, yet when I direct the meeting forward, I am considered angry or contrary, and this is why I have to call this to the forefront. We have all gotten used to casual racism, ableism, and homophobia. I am not saying, I am perfect but when you know better, you do better. I am a public servant, not a punching bag or mammy to the constituents of the Borough of Stroudsburg, and I will not remain quiet or allow my children to bear witness to the outward racist aggressions. I’m not touching on HARB here because what occurred was just not appropriate, and it was not aimed at a protected class of people but yet the affluent in our community, not making it appropriate but something that we as a council continue to research and address within the various committees, so please do not speak on false equivalencies in response to what I am saying here. I have some reading material if anyone would like to unlearn some behaviors. I thank you all for allowing me to speak and for contemplating the casual racism eschewed in these very Borough chambers.”

Solicitor’s Report

Solicitor McDonald advised that the public hearing for the Counterman property on Dreher Avenue (Adam’s Outdoor Advertising) will be held at a special meeting of the Zoning Hearing Board on September 21. He suggested that Council add this topic to the next meeting agenda.

Solicitor Brown had one item for discussion in executive session.

Borough Manager’s Report

Mr. Kopp reported that he spoke with Alta Planning and Design last week, and the final Mobility Plan should be done by early September. They estimated that the cost of the entire project for the Main Street design to be \$10.9 million. The Borough may be eligible for a PennDOT RAIS (Rebuilding America’s Infrastructure Grant), which would cover the costs associated with a traffic study.

Meetings

Verkada/Sean	August 3 rd
Senator Scavello	August 3 rd
Downtown Merchant Meeting	August 9 th
BCRA/Sewer Billing	August 9 th
Building/Sewer Inspections (3)	August 9 th
Building/Sewer Inspections (1)	August 10 th
Alta Planning	August 11 th

Levee Inspection
Brian PMVB/Austin-Healey Car Show
Building/Sewer Inspections (1)

August 12th
August 12th
August 15th

Infrastructure/Streets/Capital Projects

Sidewalk Replacement Project/Multimodal Grant. DCED approved all changes to scope. Pre-construction meeting on Friday, July 29th. Bonds received.

Ann Street Sewer Replacement & Paving. Sewer Facilities Planning Module sent 3/9/22. Water Quality Management Plan sent to DEP on 3/18/22. Met with DEP on June 6th in Wilkes-Barre in regard to Planning Module.

Grants Strategy 2022

LSA Grant. LSA Grant submitted on March 15th. Discussed with Chuck Leonard, Pocono Mountains Economic Development Corporation. They will be able to fund with grant funds on hand if DCED doesn't fund.

DCNR Trails. Submitted a DCNR Grant April 6th for the Creek Walk Trail.

DCED Greenway, Trails and Recreation Program Grant. Submitted May 31st.

DCED Multimodal. Grant complete and submitted. Contains "Quick Build" elements of Main Street Project.

Monroe County LSA Grant. Due September 30th. Working with Penn Strategies.

Mobility Study/Alta Planning

Alta and Penn Strategies partnered on DCED (Due July 31st) Multimodal Grant for "Quick Build" elements of plan. Waiting for announcement for PennDOT Multimodal Grants. Report should be complete by early September. Discussed full project, with an estimated cost of \$10.9 Million. Jennifer feels that we are good fit with the USDOT RAISE Grant Program (Rebuilding American Infrastructure with Sustainability and Equity). However, this grant is very political. Application for this grant would need an in-depth Traffic study for Main Street. Next step is a meeting with PennDOT to determine their support for further projects on Main Street.

Solid Waste Ordinance

RFP complete. Addendum complete, advertised and distributed to potential haulers. Plan and Timeline for implementation is complete, beginning implementation. Working through billing portion of Ordinance, contacting outside vendors for quotes on billing support. Flyer went out to all residents.

Dumpster Ordinance Implementation

Letter sent to the owners of all properties in the Borough identified to have dumpsters on their property. Property owners have the opportunity to respond if they feel that they cannot meet the requirements of the Ordinance on their property. Total number of dumpsters in the Borough is 180 on 136 properties. So far, six property owners have requested exemption from the Ordinance for various reasons.

Sewer Billing

BCRA has been doing billing for the Borough's Sewer Service under an agreement from 2003. We discussed with BCRA last fall about reviewing and updating this document. Last week, I met with BCRA and they proposed increases in rates and a draft agreement based on the agreement they currently have with Pocono Township. Bottom line is that it will increase costs for us. I am looking at outsourcing trash billing, I am looking at whether it makes sense to do so for sewer billing as well.

Sewer Rates/EDU Reassessment

Sent out letters to properties identified to have an error in the number of billed units. 150 letters were sent out. That represents a potential 180 in billed units that could be added to our billing (Present 376 Units, potentially 556 Units from those 150 properties). Inspections of properties ongoing to determine accurate count of units per property. Done with approximately 85% of the Borough. Only portion of Borough yet to be inspected are several streets West of Park Avenue and LaBar Village.

Back Billing Sewer Charges

We are still owed \$5,828 from BCRA's errors in 2021 Billing Charges to monthly commercial customers. A second notice will be sent requiring payment within 30 days. If it is not paid, the charges will be added to the account and penalties will start to accrue.

Sewer Collection System/I&I Initiative

BCRA has updated I&I Plan and we are waiting for a meeting with other member municipalities to review. Acquired GIS capabilities to accurately, and quickly, map sewer collection system. Smoke testing ongoing.

McMichael Creek Flood Protection Project/Levee Repair/DEP Grant

Received Local Cooperation Agreement from Army Corps of Engineers for project. Currently under review. We will be responsible for the upfront match costs and then will be reimbursed, up to \$80,000, by DEP, and is included in the 2022 Budget. It will be included in the 2023 Budget as well.

Code Enforcement

Rental Properties: Based upon inspections for EDU reassessment and Solid Waste Ordinance, compiling a list of all properties with residential rental units. Sending letters to all property owners to remind them of requirements to register properties. We are losing considerable income and have not had a good list of all rental properties in the Borough.

Short-Term Rentals: Compiling list of properties for notification.

Staff Training

Staff Training on Harassment for all staff was held on July 27th. Planning a second session for those who missed the first session and for new hires.

Levee Inspection

Conducted on Friday, August 12th.

MyGov Software for Codes/Zoning

“Soft” implementation is in progress, allowing residents to submit requests with hard copies as well. We are refining steps/procedures; later this summer, we will begin requiring all licenses/applications be submitted through MyGov.

Personnel

All staff are doing Self-Evaluations, Goals & Evaluations and Job Description Review (non-union only) in preparation of Annual Performance Reviews. Will be complete by end of August.

Five Points Intersection North 5th Street

Cost estimate for project around \$1.2 Million. Ben is going forward to PennDOT to begin the approval process. Looking at PennDOT Multimodal Grant to potentially fund the work in 2023 or 2024.

Emergency Operations Plan

I'm working with Mehmet to update our contacts and to look specifically at EMP and Cyber Attacks. Current world situation has me concerned and I want us to be ready. Plan was due to be updated in 2021.

Capital Improvements Plan

Working during summer/fall 2022 to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031. Looking to finish priority projects before beginning later in March or April 2022.

Sewer Fund Delinquent Accounts/Liens

Mary Pat is looking at our list of liens and see what liens need to be renewed and if any need to be taken of the lit. BCRA wants to review billing procedures, as do I. I have talked to three collection agencies with the idea of letting them go after delinquent accounts, which is allowed in our Sewer Ordinance.

Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7th Streets. North 7th Street was approved with a slightly changed location. Waiting to hear back from the remaining two property owners. One property owner (1172 Main Street) declined to have the rack on their property. Installation in Spring 2022.

Upcoming Focus

Solid Waste Ordinance Implementation
Code Enforcement (Dumpster/Recycling/Rental Prop)
Personnel Evaluations
Day to Day Activities

Sewer EDU Assessment Plan
Smoke Testing/I&I Mitigation
Main Street Grants

Code Enforcement Officer's Report

Ms. Walker reported that 443 letters were mailed for property maintenance violations. She also introduced David Mosley, the owner of 707 Thomas Street. Mr. Mosley apologized for the condition of his carriage house and explained that he had a serious medical issue last year that prevented him from doing anything about it. He did hire a contractor who was given a \$5,000.00 deposit; however, the contractor took the money and was never heard from again.

He continued to advise Council that he hired Wayne Vanderhoof to come out to assess the carriage house. Mr. Abell asked him to keep Council apprised of the situation. Mr. Mosley stated that he appreciated Council's patience and was, again, sorry for the condition of the building.

Street Superintendent's Report

O.C. Hearthstone, the newly hired Assistant Director of Public Works, was present. She advised that Brian Ace was on vacation. She did not have anything new to report.

Approval of Bills on Warrants 220816

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to approve the payment of bills on Warrants 220816. The motion was carried. (6-yes; 0-no; 0-abstain)

Public Input for Non-Agenda Items

There were no questions or comments from the public.

Executive Session

A motion was made at 8:43 P.M. by Mrs. Kochanski, seconded by Ms. DeVries to go in to executive session. The motion was carried. (6-yes; 0-no; 0-abstain)

The executive session was concluded at 9:04 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. DeVries. The motion was carried. (6-yes; 0-no; 0-abstain)

The meeting was adjourned at 9:04 P.M. on a motion made by Ms. McCabe, seconded by Ms. DeVries. The motion was carried. (6-yes; 0-no; 0-abstain)